



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:09.11.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.29556 OF 2019

C.Murugesan

...Petitioner

Vs

1. The Director of School Education,
No.17, College Road,
Thousand Lights West,
Subba Road Avenue,
Nungambakkam,
Chennai- 600 008.
2. The chief Educational Officer,
Collectorate Campus,
Salem-636 001.
3. The District Educational Officer,
District Library Campus,
Salem-636 007.
4. The Principal,
Arunachalam Corporation Higher Secondary School,
Sagadevapram,
Salem-636 007.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus or any other writ or order or direction directing the respondents to alter my date of birth in the Transfer certificate and SSLC Certificate as 26.11.1984 instead of 06.01.1983 by considering my representation dated 20.08.2019.

For petitioner : Mr.R.Jayaprakash

For Respondents : Mr.M.R.Gokul Krishnan
Government Advocate



ORDER

The petitioner has filed this Writ petition seeking issuance of Writ of Mandamus or any other writ or order or direction directing the respondents to alter the date of birth of the petitioner in the Transfer certificate and SSLC Certificate as 26.11.1984 instead of 06.01.1983 by considering his representation dated 20.08.2019.

2. The case of the petitioner is that at the time of joining the School in the year 1999, his date of birth has been wrongly mentioned by his parents as 06.01.1983 instead of 26.11.1984. Hence, the petitioner's date of birth in the Transfer Certificate and the SSLC Certificate needs to be altered as 26.11.1984 instead of 06.01.1983. Therefore, the petitioner made a representation before the respondents on 20.08.2019 to alter his date of birth in the said certificates. However, till date no action has been taken by the respondents on the said representation. Hence the present Writ Petition is filed seeking the above relief.

3. The learned counsel for the petitioner submits that the petitioner's date of birth has been wrongly mentioned in the above said certificate and though the detailed representation has been made by the petitioner to the respondents, till date no action has been taken by the respondents. Further, the learned counsel submits that this Court may issue a direction to the the respondents to consider the representation made by the petitioner and pass appropriate orders within the time frame fixed by this Court.

4. The learned counsel for the respondents submits that the Rule 5 of the Secondary School Leaving Certificate Scheme categorically states that the request for alteration of date of birth cannot be considered once the student has obtained the SSLC certificate and had left the school. Further the petitioner is no longer a student of any school coming under the jurisdiction of the respondents. Learned counsel placed reliance on the order passed by this Court in W.P.No.4344 of 1965 on 26.10.1965 wherein it has been held that in view of the Rule 5 of the Secondary School Leaving certificate Scheme, once the student had left the school, there is no scope for correcting the date of birth or any other particulars in Educational Testimonials of that student. Hence the representation made by the petitioner cannot be considered.

5. Taking into consideration the submissions advanced on either side and also in view of the Rule 5 of the Secondary School Leaving Certificate Scheme, once the student who had



appeared for the SSLC board examination and obtained an appropriate certificate, no corrections in pupil's particulars in Educational testimonials can be carried out. Further, the petitioner has also left the school. In such circumstances, the prayer sought for by the petitioner herein cannot be acceded to. Accordingly, this Writ Petition is dismissed. However, liberty is granted to the petitioner to work out his remedy in the manner known to law.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

NHS

To

1. The Director of School Education,
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+1cc to the Government Pleader, S.R.No.58054

W.P.No.29556 of 2019

PMK(CO)
RLP(06/12/2021)